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PART III: POSTMODERNISM

CHAPTER 12

INTRODUCTION

The Post-Modern Perspective In Criminology

Stuart Henry
Eastern Michigan University

It is reported that Friedrich Nietzsche (1844-1900), a German philosopher and philologist (historical linguist), believed that both Christianity and socialism were the faiths of 'little men'. He denied the reality of God, truth, morality and value, and saw these as no more than the crutches of the insecure who construct meaning rather than face an inherently meaningless world. This nihilistic vision provides the anarchistic vein that sustains the post-modernist position. For those who want answers, truth, belief, or science, as deliverance in the here, or hereafter, such nihilism can be indigestible at best, and tantamount to blasphemy, at worst.

Nor is ready acceptance of the post-modernist stance made any easier by an analysis that prioritizes language and language use as the vehicle for constituting meaningful reality. Ironically, it seems that this very mode of discourse itself requires a critical faith and a knowledge of highly complex concepts that together provide more than enough justification to 'turn off' all except those who are seduced by its fundamental irreverence. In an attempt to pre-empt such aversion, I shall focus this introduction on defining the terms used by the authors of the three papers, while simultaneously situating some of the key themes of post-modernism in relation to each of their intellectual heritages. I will conclude with a brief evaluation of the promise and the traps that await the unsuspecting student.

Anti-Enlightenment Roots

If modernism is taken to be the tendency in the early twentieth century to substitute for a faith in God and guided subjective judgement, a faith in science and empirically grounded objective judgment, then post-modernism, as Alan Hunt eloquently explains in "Post-modernism and Critical Criminology," is the disenchantment with, and questioning of, all claims to truth, knowledge, power, and progress, especially those claims based on the assumed superiority of rational logic. In Foucault's terms, the post-modernist project requires the "disruption of smooth regimes of truth," and

is seductively critical because of its anarchistic and populist appeal centering the ordinary person (but not as an individual) as the harbinger of power and change. Indeed, for Hunt, "the radical core of post-modernism lies in its mission of shedding the illusions of the Enlightenment...and its profound disenchantment with modernity." He points out that whereas modernity sees society in terms of an orderly totality of uniform individuals organized towards progress, post-modernism emphasized fragmentation, difference, diversity and plurality of projects. It is especially critical of any theoretical position that claims to guarantee knowledge toward a common end.

While Hunt appreciates post-modernism's critical edge, he believes post-modernists have thrown the banana out with its skin in their excessive rejection of totalizing concepts such as 'the state', 'capitalism', and 'the working class'. Particularly objectionable to Hunt is the post-modernist rejection of large scale political and structural change for a political agenda that believes "the politics of localism" (which itself follows from the replacement of authoritative knowledge, with an "insurrection of subjugated knowledges") can provide a "challenge to the institutionalized structures of power and inequality which characterize modern society" (by which they mean capitalism). For Hunt, the conjuring trick by which capitalism is made to vanish is not enough to make it vanish in fact, and such a failure of conception, says Hunt, leaves space enough for its privileged agents to co-opt and hegemonize local politics and resistance.

Hunt sees a willful disempowerment of the perspective resulting from its embrace of localism, in which "the powerless are doomed forever to engage in an endless series of single issue struggles." Indeed, because of what he sees as their, (particularly Foucault's) ignorance of the reality of coercive and ideological domination, Hunt would like to pick over the body of post-modernism for its consumables, discarding the rest to the landfill of philosophical and epistemological dead ends. These consumables amount to a recognition that it is necessary to explore the interpenetration of the micro and macro levels of social structure while avoiding what he takes to be the putrefied relativism and nihilism of post-modernism's radical critical stance.

For my part it might help to recognize that Hunt's own position, which some might characterize as structural Marxist, has never been one to allow human agency the illusion that it might be possible to transcend subordination through the retention of control over personal action. Rather, in the manner of Jacobinism (a French Revolutionary minority in which Robespierre and the Jacobin Club sought to carry

through the revolution at any cost, on behalf of others) and Rousseau (ordinary people are insufficiently enlightened to carry out a revolution), Hunt believes that socialist parties are the necessary way to combat multi-national corporate capitalism. Unfortunately, this pinhole on post-modernism does an injustice to the practical agenda of those like Foucault who recognized Pierre-Joseph Proudhon's (1809-1865) perception that "whoever puts his hand on my back is a tyrant and a usurper," for it is only by reclaiming the power of the moment in daily insurrection with all those who seek to claim expertise on *whatever* grounds, that power can perpetually belong to the people. Indeed, this continuous struggle with those who steal power from our person, is what Foucault means by 'critique' (unlike its over and misused substitution for the word criticism). As soon as faith is invested in a structure, party, or concept of deliverance, power is rendered transitory. Worse, it is lost to a new order of power-making and self-subordination, for no other reason than the will to submit, letting ourselves be once more consumed by another desiring the false security of their control over order.

THE FOCUS ON DISCOURSE

It is for this reason that a pivotal concern of post-structuralism is with language and its use, for it is through language that knowledge is claimed and power usurped. This concern emerges and explains why both Milovanovic and Manning consider semiotics a central theme. Whereas Hunt places post-modernism in the context of the broad historical changes accompanying the post-Enlightenment period, Milovanovic in "Critical Criminology and the Challenge of Post-Modernism" spot-traces the intellectual heritage of the position and gloss-lists some of its core concepts. As well as Nietzsche's idea that language is both selective and conceptually delimiting (the concept of horizons), Milovanovic recognizes the contribution of: Ferdinand de Saussure (1857-1913) the Swiss father of modern linguistics; Roman Jakobson (1896-1982) the Russian-American linguist of the Prague School who founded an historical developmental theory of phonology (the study of sound patterns); Jacques Lacan (1901-1981), the French psychoanalyst who integrated the works of Saussure, Freud and Jakobson; Roland Barthes (1915-1980) the French literary critic who revealed how writers become locked in discursive orders (sets of signs) through which meaningful relations and particular ideological values are claimed as universal), and the contemporary French philosopher Jacques Derrida whose phenomenological deconstructionist position calls for a focus on the system of differences between the sounds of language and the process of deferring meaning

about a sentence until its chain of expectations (built on the differences within it), reaches completion (summarized in the notion of the 'floating signifier').

In order to understand Milovanovic's paper which reflects the complexity and density of prose of the post-structuralist position, it is necessary to grasp some of Saussure's fundamental concepts, for it is on these, and their extension in Lacan's work, that his semiotic argument builds. If semiology is taken to be the science of the study of the signs, symbols and representations of social life, then Saussure's foundation is to show how language forms a system of signs. Words are simply signs (known as 'signifiers') but there is no connection, says Saussure, between the signifier and the meaning that it signifies, (known as the 'signified'). Moreover, as Milovanovic points out, there is even a questionable relationship between the word, the meaning and any assumed underlying reality (known as 'the Real'). For Saussure, linguistic signs (words and their sounds) arbitrarily impose meaning on the world, rather than reflecting some underlying autonomous reality. The 'pinning down' of signs then, if not to object-like entities, can only be done in relation to other meanings in the system. The whole matrix of meaning is at once inter-related and self-sustaining. Saussure proposes that the way these meanings are mapped is by their occurrence together (co-occurrence, here called 'syntagmatic') and whether they can be substituted with other signed meanings (here called 'paradigmatic'). The resultant analysis is that words have roles in relation to other words in the system of signs, irrespective of any underlying reality, and that what is important is the difference between their roles, defined by the meaning of that which is signified by them. In this schema it is important also to note the distinction between: 'langue' by which Saussure refers to the common language system, and 'parole' which refers to individual renditions of the system; and between 'synchronic' which is studying a snapshot of language at any one time, versus 'diachronic' which denotes the study of language change over time.

In his discussion Milovanovic concentrates on Lacan's psychoanalytic (Freudian) development of Saussure, noting that its inaccessible prose and formal French style has provided adequate excuse for avoidance. In rendering an account of Lacan, Milovanovic shows how the repressions involved when society has to abandon its false sense of unity for a place in the fragmented and illusory symbolic order, produce an insatiable 'desire' for meaning, truth, reality, which is insatiable because it is denied by the very attempt to consume it with a label. Milovanovic's contribution is to introduce the idea that anchoring

of meaning is not so much arbitrary as structured by a political economic process, the interpretation of which he takes from Frankfurt School Marxism. However, instead of assuming that the human subject is unified, Milovanovic explores the implications that the human subject is constituted by language use and episodically merges with the *species being*.

Such a perspective enables us to question notions of causality, free will, and responsibility, to point up the inherent vulnerability and instability of apparently stable structures. It enables us to envision a relatively random, diverse world wherein subjectivity is open to reconstruction beyond the 'reasonable economic man', where language use and modes of discourse become both the prison bars and the key to liberation through the celebration of action, and where structures can be deconstructed by nothing more than the withdrawal of energy from their discursive production and the affirmation of that which is different. Rather than seeing the post-modernist perspective attaining predominance over other emerging radical perspectives in criminology, Milovanovic sees it as contributing insight to their growth as critical tools for change.

SEMIOTICS AND CRIME

Finally, Manning's contribution, "Critical Semiotics," draws on the contemporary French philosopher-sociologist Jean Baudrillard in developing the case for a semiotics applicable to critical criminology. Like Foucault, Baudrillard has become almost a cult figure, part of the trend toward counter-cultural indignation. But there are also crucial differences and recently, Baudrillard has been seen as heralding a post-post-structuralism (along with Umberto Eco), and certainly, not least as a result of his book ***Forget Foucault***, in post-Foucaldian and post-Lacanian thinking, and particularly among "those who attempt to grasp the strange mixture of fantasy and desire, unique to the late twentieth century culture" (Poster, 1988).

Baudrillard's writing has aspects of the structuralism that Milovanovic seeks to introduce, perhaps, not surprisingly because of his own Marxist heritage. Baudrillard's central thesis is that post-modern society is a consumer society in which meaningful social relations have been expunged. This occurred in stages. First the products of societies' labor were sold for exchange value (rather than use value) but this was masked by the image of them as actually useful. In this stage there is at least some reference to the object or reality. Second, the growth of communications technology and the media have become semi-autonomous, serving the ideology of

corporatism and promoting the commodity form rather than the commodity itself. It is the images of objects, as a series that imposes logic and order on social life. "Advertising codes products through symbols that differentiate them from other products, thereby fitting the object into a series" (Poster, 1988). Consumers do not simply buy chocolate or perfume, but sensation, a drug experience: "Sweet dreams you can't resist" (Nestlés' ad). For Baudrillard, "The object has its effect when it is consumed by transferring its symbolic meaning to the individual consumer" (Poster, 1988).

Thus, consumer objects "constitute a system of signs, a network of floating signifiers, inexhaustible in their ability to incite desire" (*Ibid.*). It is the image that imposes its own logic, "ordering society while providing the individual with an illusory sense of freedom and self-determination" (*Ibid.*). Baudrillard argues that, in the late 20th century, signs become completely separated from their referents. As the 'emancipated sign' signifiers are extracted from their social context and float, emitting meanings that require no response, forcing a silence on the masses, signalling rather than symbolizing. Consumption of a product is consumption of the image to receive its illusion, irrespective of the material function as in: perfume for sex appeal, toothpaste for self-confidence, cars for eroticism, soft drinks for friendship and popularity.

In his later writing (***Simulacra and Simulations***, 1981; ***Fatal Strategies***, 1983; and "The Masses: Implosion of the Social in the Media," 1985), Baudrillard reveals that there is a third stage to this process: the construction of hyper-reality. Here we make models of the images, images of images, which imply that the images are the reality, that American Society is real because Williamsburg and Disneyland are merely images. But, says Baudrillard, these images are images of images and the everyday life in which we play is itself a fantasy, masked by the hyper-reality. Social life in America (or any other advanced industrial society) is a simulation, only real by reference to the hyper-real. As a result, any possibility of real social relations and meaning constructed to symbolize them is removed. Post-modern culture, says Baudrillard involves social relations without content, fixed meaning or substance. As in David Letterman's cynical mockery of talk shows, they are "all form and no substance."

Semiotics has been charged with linguistic determinism, and Baudrillard is ironically accused of being 'shallowly provocative', whose 'willfully sweeping ideas' 'seduce without satisfying'. But for Manning, it is precisely because of the structured inequality on arbitrary criteria, enforced by the power of arbitrary authority, and

episodically mystified through the diversionary rise and fall of false choices and consumable images, that we need a critical semiotics. Only with such an analytical framework can the fraud of illusory power be exposed and the sense of outrage find an outlet.

As the recent work by Jack Katz (1988) shows, and as Manning asserts here, especially important in applying semiotic analysis to crime are the "crimes of consumption, avarice and greed." For Manning, a critical semiotic criminology should explain and unmask the way human experience is shaped by governments, is shrouded by signs and is authoritatively anchored to an apparently stable order of collective meanings that conceal change and diversity. Informed by his own phenomenological and ethnomethodological heritage, Manning believes it is possible to reveal the rules that order texts of discourse, of writing or talking. He thinks that it is important to deconstruct texts with the idea that the author (writer or speaker) of discourse is not the source of meaning but merely a sounding board that echoes pre-established meanings. Manning suggests that we locate the source of meaning production; recognize the dialectical nature of crime and its control as co-producers of each other; document the ways paradoxes are resolved, and key terms are denoted within social institutions; convey how key signifiers are encoded in contexts that obscure them and how they are taken for granted through routine practice; and we need to reveal how hierarchy is routinized, and sustained through myth and the increasing elevation of decentered, floating discourse.

DANGERS OF DISCOURSE

As a new development in criminological theory, the post-structuralist perspective has much to offer, if only in integrating key themes from the earlier perspectives of cultural/sub-cultural theory, interactionist labelling perspectives, ethnomethodology and phenomenological approaches, and conflict and Marxist criticism. It shows how we make order and crime while in the process order and crime-making, make us. In this sense it is a constitutive theory of crime (See Henry and Milovanovic, 1991), whose greatest asset is its debunking of ideology and culture and whose greatest danger is to be consumed by its own mode of discourse. Indeed, the exclusive focus on discourse bastardizes a general semiotics which is a study of patterned human behavior *in all its modes*, and while the auditory/vocal and written are significant, the crucial role of the visual mode in 'kinesics' and the tactile mode of interpersonal movement and touch in 'proxemics' have been powerfully silent in criminological adaptations of the post-structuralist vision.

Moreover, it is ironic that the very revelation that meaning is sustained as a constructed reality, signified by signs rather than emerging from relationships, further grants autonomy to that which produces meaning, even while criticizing it. For language and human agents to be seen as mere reflectors of that which exists, and if the human subject is decentered, then there is a sense in which the semiotic vision of post-structuralist criminology *is* prone to a form of determinism. Human agents, by being made through discourse but not making themselves, by recursively generating pre-existing meaning, deny themselves with each new rendition. But is not the key, as Foucault reminded us, that they are the invokers of words, if not the controllers of meaning, and that their invocation is never perfect but merely claims superiority to which we defer? Is it not the very corrupted account giving, distorted story telling, inadvertently placed message, myth making, and not least, the nod and the wink, that adds meaning to that which exists, such that over time that which was, no longer is, and that which is becomes something else? If so, therein lies the handle to an anchor so slippery that critical human agents may be unable to hold onto it long enough to sail very far.

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CHAPTER 13

Postmodernism and Critical Criminology

Alan Hunt
Carleton University

I very much welcome the initiative taken in the first few issues of ***The Critical Criminologist*** to introduce readers to relevant and interesting theoretical developments, such as postmodernism and semiotics, that have emerged outside the narrow boundaries of criminology. There is, I suspect, widespread agreement that one of the weaknesses of critical criminology in North America has been a preoccupation to mount attacks on orthodox criminology without developing an adequate theoretical base for the construction of a viable alternative. In the main, critical criminology has operated with a somewhat dated 'conflict sociology' with a 'dash' of Marxism thrown in.

I read with interest Dragan Milovanovic's "Critical Criminology and the Challenge of Post-Modernism" [this volume]. I want to take this opportunity to outline a rather less optimistic view of postmodernism. I should stress that this does not involve any major disagreements with Dragan's paper. The initial problem revolves around the identification of the postmodernist project. Dragan focused predominantly upon Lacan and more broadly upon what may be called 'the linguistic turn'. I want to suggest that while this is associated with postmodernism it is not the most important feature of this broad intellectual and political movement.

What is this thing called postmodernism? I take postmodernism to be the embracing of a judgment that we have traversed a significant divide between the modernism of the early twentieth century and the postmodern reality of the late twentieth century. The most significant step in forming the postmodernism perspective is the inference that if the old world has past then its problems have become redundant. It is not simply that a new set of questions should replace a prior set; the radical self-conception of postmodernism arises from its claim that we must break with the kind of 'big' questions which have traditionally motivated the intellectual projects of the previous epoch. It is not so much that modernism arrived at the wrong answers, but that its questions were unanswerable; they have been too broad, too abstract, riddled with a distinctive mix of naive humanism, an unwarranted faith in science and an over-optimistic view of the capacity of language to capture and share knowledge. Two key texts may be taken as embodying the core of postmodernism; Jean-François Lyotard ***The Postmodern Condition: A Report on Knowledge***, (1984); and Michel Foucault's essays and interviews in ***Power/Knowledge*** (1980).

Neither a simple espousal nor a rejection of postmodernism is adequate;

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rather I will contend that there are valuable elements in the postmodernist perspective which can contribute to progressive thinking, but which need to be separated from its negative dimensions. Lest this sounds too even-handed it is as well to make clear that what I reject is most of the general perspective that constitutes postmodernism and what is recommended for retention are some useful, yet partial, insights. To situate the postmodernist challenge it is important to recognize the complex interconnection between the intellectual and political strands which it incorporates. The suggestion to be explored is that postmodernism involves two distinguishable elements. At its most general level postmodernism is a critique of the rationalism of Enlightenment thought. Postmodernism's more specific features revolve around reactions against socialist thought and Marxism in particular. The emergence of a specifically Left postmodernism has been one of the expressions of the 'crisis of Marxism'.

Postmodernism's starting point is a critique of the Enlightenment as a failed rationalist project which has run its time but which continues to encumber contemporary thought with illusions of a rational route to knowledge, a faith in science and in progress. The radical core of postmodernism lies in its mission of shedding the illusions of the Enlightenment. The political ambiguity of postmodernism lies in its insistence that our received and familiar dichotomy between Left and Right is itself a product of Enlightenment thought and that contemporary Left theoretical and political positions, especially Marxism, are deeply inscribed with the illusions of the Enlightenment. This is how postmodernism comes to claim progressive credentials whilst devoting much of its energy to the critique of erstwhile Left positions. Postmodernism has a pronounced tendency to be absolutist in its judgments. Most noticeably it adopts a decidedly one-dimensional and almost wholely negative view of the Enlightenment and of the modern world. Postmodernist authors present us with an unhelpful and, I suggest, avoidable dichotomy between the wholesale endorsement of some classical version of the Enlightenment project and its complete abandonment. We are presented with a stark choice between the Enlightenment and postmodernism; significantly no intermediate positions are considered.

Modernity and enlightenment are much more complex, ambiguous and nuanced than this one dimensional view permits. Marshall Berman captures the ambiguity of modernism. "From Marx's and Dostoevsky's time to our own, it has been impossible to grasp and embrace the modern world's potentialities without loathing and fighting

against some of its most palpable realities." Whereas the intellectual giants of the nineteenth century were simultaneously enthusiasts for and enemies of modernity, their postmodernist successors have "lurched far more toward rigid polarities and flat totalizations. Modernity is either embraced with a blind and uncritical enthusiasm, or else condemned with neo-Olympian remoteness and contempt; in either case it is conceived as a closed monolith."

I want to suggest that we should adopt a more dispassionate view of the substance of postmodernism by separating its content from its general intellectual mood. At root postmodernism is grounded in a profound disenchantment with modernity. There is a very specific reason why many progressive intellectuals have come to adopt this disenchantment as their own. Whether in disillusionment with contemporary socialism since the events of 1968 (symbolized by the May events in Paris and the invasion of Czechoslovakia in August) or with the swing to the Right during the 80s, it is not surprising that postmodernism has had its attractions for progressives.

Whilst I empathize with postmodernism's critique of instrumental reason, scientism, the cult of progress and much more associated with the Enlightenment, I also want to affirm that the central project of social emancipation remains unrealized. In very different ways both Edward Thompson and Jürgen Habermas articulate the view that modern liberalism has lost the will to pursue this goal and that their realization has fallen to contemporary socialism; this in turn underlines my view that socialism must engage with and draw significantly from liberalism in order to fulfil this objective. It is for these reasons that I am unhappy with the general intellectual and political mood of postmodernism.

In the discourse of the Enlightenment, law and crime play the role of what Foucault termed a 'total history' in that it came to be conceived as constituting the overall form or principle of a civilization; indeed law becomes the very personification of civilization. In this role law is attributed a teleological self-conception combining four projects; that of totality (the rational organization and ordering of a whole society), unity (the sovereignty of the nation state), civilization (the supercession of a dangerous and unordered past — law versus self-help). And finally the project of 'the subject' (the constitution of the legal subject as citizen, and citizen as legal subject endowed with self-responsibility and legal liability).

In challenging the Enlightenment's conception of law, postmodernism joins with and supplements other strands of critical theory. Its general thrust is to displace and decentre the privileged

position accorded to 'the Law'. Postmodernism challenges the four interconnected projects assigned to law. It denies totality by stressing plurality and particularity of social life. It denies unity, emphasizing instead the diversity of social life. Postmodernism questions civilization by exposing its suppression or silencing of the expelled voices of the insane, women or colonial peoples. And most famously, postmodernism displaces and decentres the sovereign subject.

The second challenge involves a rejection of the philosophical and epistemological presuppositions of both liberal legalism and of critical perspectives. In its most general form postmodernism is anti-foundational in the sense that it denies the possibility of either philosophy or social theory providing any epistemological guarantees for knowledge claims. This anti-foundationalism, epitomized by Foucault's critique of the human sciences, insists that the epistemological postures of any discipline are resultant of the play of relations of power. In general, postmodernism announces the end of theory whilst paradoxically insinuating an alternative 'non-theory theory'. This is nowhere more evident than in Foucault's displacement of Marxism's concern with the complex connection between state, class and power by an (under-theorized) new 'disciplinary' society in which capitalism, quietly, disappears. Let me make clear that the modern forms of power and discipline present major challenges for contemporary critical scholars; I certainly don't take the view that Marxism has (or has ever had) 'all the answers'. But before embracing postmodernism too enthusiastically, we need to take cognizance of precisely what it is that is thrown out.

Not only are there problems in finding appropriate ways of posing the issues in dispute, but there is just as big a difficulty in deciding what the political implications of intellectual positions are. One dimension of the dilemma of the progressive intellectual is: How do we decide what is progressive? There is nothing to be gained by bemoaning the loss of the old certainties. These apparent certainties were themselves the result of an ossification of the political thought of both the Left and the Right. That postmodernism has challenged and disrupted the process of political evaluation is one of its significant contributions. But the inherent limitation of the politics of postmodernism is a lack of clarity about the political consequences of its characteristic positions.

The most distinctive feature of the politics of postmodernism is the suspicion of any strategy of large scale political change since these tend to be premised upon 'privileged agents', such as 'the state' or 'the working class', and were posed in terms of totalities (*e.g.* capitalism). The alternative to macro-politics is the politics of localism. But it is

difficult to understand just how such a view of politics can provide any challenge to the institutionalized structures of power and inequality which characterize modern society. It follows directly from the Foucauldian thesis that 'power is everywhere' that politics must also be everywhere. There is an obvious sense in which this is true, but a more important sense in which it is misleading, since it fails to take account of the fact that local politics are not autonomous realms, but that states, legal institutions and political parties intervene in and to hegemonize local struggles and resistances. It is important to my case to stress that I do not seek to disapprove of or to denigrate local politics. Indeed the stress on local politics has been an important part of the rethinking of progressive politics during recent years. But I do challenge the simple substitution of micro- for macro-politics. Postmodernism has a tendency to adopt a willful self-limitation and thus to disempower itself from undertaking the more than the most fragmentary analysis. There are profoundly important questions about the relationship between local and state politics. Among the questions that need to be explored are: To what extent can local politics succeed without at the same time engaging with the multifaceted forms of social oppression? Under what conditions is it possible to achieve concerted action and alliances effective at the level of the state? Unless these questions are explored, the powerless are doomed forever to engage in an endless series of single-issue struggles. It is not that such struggles are unimportant. They are the starting point of action and empowerment, but unless they find appropriate forms of articulation at the national or international level, they may remain locked into a vicious circle of a reformism that can never achieve their most significant goals.

A second and linked strand within the politics of postmodernism is organized around a strong commitment to a model of an ideal political practice which is participatory. The roots of this configuration involve a sharp reaction against the traditional categories of socialist politics; the working class, political parties and the struggle for state power have no place in postmodernist politics. What is sketched is an admixture of Foucault's conception of a politics which is directed to bringing into play "an insurrection of subjugated knowledges." Such influences do not constitute a political programme nor even an agenda; rather, they serve to sketch out the parameters of a potential political space whose major characteristic is precisely its marked departures from traditional progressive politics. True to the project of redrawing the map of politics and culture embodied in postmodernism, this 'new

politics' defies and seeks to break out of the old categories of Left and Right.

The source of the attraction of postmodernism lies in all those aspects of the human condition in which we are no longer as certain as we used to be that things are better today than they were yesterday. The deep significance of the inexorable rise of environmentalism is precisely that which has been the key evidence of the universality of progress, namely, the species' ability to control and subordinate nature, is now the source of the greatest collective danger. There is another, and explicitly political, side to contemporary doubts about progress. The parallel political transformations of the twentieth century, socialism (in both its Communist and Social-Democratic forms) and anti-colonialism have failed to produce societies which offer much encouragement to the progressive commitment to remaking the world. When the cake comes out of the political oven, it has persistently failed to live up to its promise.

If the Left is committed to change, but unhappy with its results, and less confident about progress, then it appears that progressives have no alternative but to take the postmodernist challenge seriously. If the engagement with postmodernism is to be fruitful (not simply oppositional) then it is necessary to concede that postmodernism does present a challenge to the normal progressivist embrace of science, rationality and progress. It, perhaps, reduces the shock of embracing postmodernism to recognize that much recent progressive thought has already taken on board many of the characteristic themes of postmodernism, but has done so without embracing its more cataclysmic manifestations. Thus, for example, the commitment to any linear, let alone unilinear, conception of progress has long since been abandoned. But this does not imply that the rejection of progress has been replaced by a radical relativism. Similarly, the faith in narrowly conceived positivistic methods of 'science' has long been left behind, but again this has not involved the abandonment of the idea that it is possible to compare competing knowledge claims and to make judgments as to which is 'better'. It is sufficient that we specify the context in which our judgments are made and the standpoint which we occupy for our judgments to be grounded and thus avoid the slide to ethical relativism.

Progressive thought has similarly taken important strides towards connecting such grounded conceptions of knowledge with the source and mobilization of power. The most revealing measure of this shift is that it finds expression in the across-the-board influence of Michel Foucault. But, as I have suggested above, it is necessary to redress

the over-reaction against orthodox Marxism which led Foucault to simply substitute a prioritization of local politics for state politics. Much contemporary scholarship quite correctly emphasizes the plurality of the forms of discipline and control, but this should not lead to a neglect of the central importance of the state. A more developed account of the inter-penetration of the macro- and micro-levels is needed.

There is, then, much of value that has emerged during the engagement with postmodernism. But the deeper problem remains of the negative face, and indeed it is the most visible face, of postmodernism. It is precisely because the pervasive issues surrounding law and crime seem so intractable that progressive scholarship has been so deeply, almost passionately, affected by the general mood of self-doubt, failure and impossibilism that has been the most distinctive manifestation of postmodernism.

It is still possible to face our age and its problems without relapsing into the pessimism that is the final resting place of relativism, nihilism and of postmodernism once its radical guise is stripped away. If the engagement with postmodernism, and the big fear which it has engendered, has brought us nearer to this understanding, then it has played its part.

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CHAPTER 14

Critical Criminology and The Challenge of Post-Modernism

Dragan Milovanovic
Northeastern Illinois University

Critical criminology is currently being infused with new orientations — namely, as mentioned by Marty Schwartz in his article "The Undercutting Edge of Criminology" in ***The Critical Criminologist***(1989) and elaborated by Jim Thomas and Aogan O'Maochatha in their article, "Reassessing the Critical Metaphor," in ***Justice Quarterly***(1989) — by socialist feminism, peacemaking, left realism, and post-modernism. I would like to offer a reader's guide to getting into post-modernism, probably the most neglected and least understood of the emerging perspectives in critical criminology.

Post-modernism is a misnomer. It includes post-structuralism, deconstruction and semiotics. (A post-Frankfurt perspective is in its incipient stage of development). But certain themes do cut across the four. If a date for their 'take-off' needs to be provided, it certainly could be placed as the 1960s, perhaps even the time of the upheavals and intellectual crisis in France in May 1968 (which certainly did have an effect on some of the more prominent exponents). Key theorists in this post-modernist frame are: Foucault, Derrida, Barthes, Lacan, Deleuze, Guattari, de Man, Baudrillard, and Lyotard. All show more allegiance to Nietzsche than to Hegel. Central themes include: a focus on the 'decentered' subject as opposed to the Cartesian subject (the metaphysical transcendental ego) developed out of the Enlightenment period where it was posited as a determining, unified, rational subject of certitude in control, captured by the idea of *cogito, ergo sum* (a notion well-suited for capital logic); a return to Freud's early suggestive writings on the dynamics of the inscription of primordial sense data (*i.e.* how 'word- presentations' are connected with 'thing-presentations' — how the dream is a rebus subject to a textual exegesis); a rediscovery of Saussure's seminal lectures on linguistics (1906-1911); the acknowledgment of language effects on the constitution of subjectivity and reality construction; a Nietzschian inspired notion that men/women need certain horizons — boundaries within which prevail a degree of stability and certainty for predictable social action — in order to be healthy, and these are provided by the fictions of language itself; an emphasis more on genealogy rather than on attempts at specifying any iron rule of a unilateral, monolithic, and historical development (and with it a celebration of pathos rather than a logos); a questioning of the inherent stability of structures (*i.e.* an antifoundationalist *weltanschuung*); a problematized notion of causation, free will, and responsibility (*i.e.* overdetermination rather than determination); a celebration of affirmation and action rather than reaction and negation; a focus on multiplicity, contingency, heterogeneity, chance, rela-

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tivity and indeterminacy (randomness) of the social scene; an appreciation for diversity, change, marginality, irony and the unpredictable; and the effervescent quality of subjectivity, meaning and being.

In this limited space I would like to focus on Jacques Lacan (1900-1981) who has been one of the leading theoretical forces. I say this because Lacan's seminars delivered in Paris during the 50s, 60s and 70s were attended by some of the foremost scholars during that period including: Althusser, Barthes, Derrida, Guattari, Ricouer, Kristeva, and Foucault. I say this also because most of the post-modernist material makes mention of Saussure's statements on linguistics and pays homage to Lacan who has infused it with a psychoanalytic and phenomenological dimension.

Lacan has not been received well by the Anglo-American community (anglophones), with the exception of academics in literary criticism. It has been unfortunate, but part of the reason is that few of his works have been published in English, although this is changing. Lacan has been the brunt of various critical evaluations. He has been described on the one end as a fake, a 'prick', all-smoke-and-no-fire, and, on the other, as one of the greatest theorists of the twentieth century. Be forewarned, his writings (mostly his lectures transcribed) are nearly impenetrable, full of solipisms, neologisms, graphs, ideograms, algorithms, equations, mathematical formulae (that must not be read strictly), cryptograms, borromenean knots — indeed one commentator has argued that his expository style is a rebus, running homologously with how the unconscious 'speaks'. The adversity of American social scientists, however, to complex expository style may indicate the effects (metonymic?) of capitalistic consumerism (*i.e.* read it once and throw it away). Continental European writing styles attempt to capture the manifold complexities found in the social formation in their writing. Post-modernists' articulations are demanding reading and need to be read actively, reflexively with an eye toward, simultaneously, diachronic and synchronic nuances.

Lacan, a psychoanalyst, was influence by: Kojeve's lectures, which he attended in the 1930s; several of Hegel's notions including that of the desiring subject, the Master-Slave relationship, and statements concerning the dialectics of meaning and being expressed in language; Saussure's linguistics, notably his posthumously published ***Course in General Linguistics*** (1916); Frege's notions (paradoxes) of language and meaning congruities and incongruities; Levi-Strauss' structuralism; Jakobson's notion of the two major axes — metaphor and metonymy - around which language is structured; Benveniste's

work on the personnel pronouns as shifters or indicators (signifiers); and Freud's early canonical writings (prior to 1920), particularly ***The Interpretation of Dreams*** and his "metaphysical papers." In fact, for Lacan (1977), psychoanalysis (the 'talking cure') can be subsumed under linguistics. (The dream is a rebus and is open to interpretation much like texts in their different forms.)

In critique (short as it is here) Lacan's work lacks a materialistically grounded ideological dimension, is notably vacuous in its analysis of political economy, disregards the pragmatics of place (Bakhtin), and makes use of a conservative notion of desire (reaction to and negation of 'lack'). By itself it does not suffice. My own current work (1991) attempts to do a post-Frankfurt synthesis and to indicate its applicability to the study of law and ideology. I am indebted to Deleuze and Guattari (1987) who are probably the most progressive contemporary theorists doing revisionist work here.

For Lacan, the unconscious (and language) 'speaks' the subject. In fact the unconscious is structured like a language he tells us again and again, and a signifier is a subject for another signifier. Borrowing from Saussure's dyadic structure, a word is a sign, which in turn is composed of a signifier — the acoustic image, the psychical imprint — and that to which it refers, the signified — the concept. (The signified must also be distinguished from the referent, the Real, which is comparable to Peirce's third element in his triadic notion of the sign.) Language, we should note, is a repository in which an infinite continuum of amorphous primordial sense data is divided up into arbitrarily demarcated units making a finite and static system with potentialities (= '*langue*') co-ordinated by a linguistic code. 'Parole' is the actualized language in speech form. In some rather dense prose Lacan indicates that the unconscious, and so too the conscious, is organized around tropes: metaphor-metonymy. (In fact the dyads condensation-displacement, paradigm-syntagm, synchrony-diachrony could also be assimilated to this foundational dyad.) Thus the vertical axis, indicating similarity and differences (of signs), includes synchrony, paradigm, condensation, and metaphor; the horizontal, indicating contiguity (linear combinatory articulations), includes diachrony, metonymy, displacement and syntagm. Linguistic production implicates the intersection of both axes. Consider the vertical and horizontal construction processes of an utterance by a prosecutor: "The defendant willingly and maliciously committed the assault." Whereas '*langue*' is the static dimension with potentialities, 'parole', the spoken word, actualizes the potential. Lacan focuses on parole.

Lacan's quadrilaterally constituted subject is centered in three orders: the Symbolic (language and culture); the Imaginary (the totality of specular imageries derived initially from a 'mirror-stage' between 6 and 18 months where the unco-ordinated child glimpses itself in the mirror producing a false sense of unity, and post specular assimilations); and the Real (which for Lacan is not capable of being symbolized but is the unique constellation of forces constituted within the psychic apparatus that has over-determining effects, and also includes pre-symbolized social phenomena). For Lacan the subject is captured by his Schema L (actually it looks more like a Z as in Zarathustra). The subject, Lacan tells us, is stretched out over all four corners — the grammatical 'I' of discourse; the imaginary relations of the '*moi*' (dialectically constituted in narcissistic and aggressive relationships with self and the other; the '*moi*', the ego, is inherently inter- and intra-subjectively constituted and a composite of imaginary subject-object relationships); the Other, with a large O (the unconscious, language, the locus of signifiers); and the other, small o (which is the object of desire, recognition, love). Much as in Heisenberg's indeterminacy principle, locating where the 'subject' actually is at any point in time or space is illusory.

Lacan's dynamic model is presented in the form of the graphs of desire. The speaking subject, the 'I' as a shifter, as a representative of the subject in discourse (that which gives an illusory/imaginary notion of unity) finds meaning *in* language at the cost of being (the infamous '*spaltung*'). Since naming the thing is the 'killing of the thing' (the presence of an absence), and since the signifier is that which is the subject of another signifier, then the speaking subject exists in language but yet at that precise instance is denied a real existence in being. Its representative, 'I', is captured within the flow of signifying chains (*i.e.* sentences, utterances, a sequence of filmic shots, legal texts). For Lacan, when the subject is speaking s/he is anticipating the next word in a context and the sentence spoken does not make sense until the final word or punctuation; only then, retroactively, do we provide meaning to what we are saying. The tropes of metaphor and metonymy control language and meaning production. Desire, arising from lack, a conservative force in the Freudian as well as Lacanian construct, activates the psychic apparatus. Desire, Lacan tells us is metonymy. Signifiers continuously slide over signifieds and desire is an element that temporarily punctuates (anchors) the process. (In my own work, I attempt to show that desire and the anchoring process is intimately controlled by a 'semiotic grid' and that to understand what punctuates (anchors) the process one must do a political economic

analysis of desire and the punctuation process. In an organizational context concerning the anchoring of 'floating signifiers', see Manning, 1988.) When one wishes to speak one enters a particular linguistic coordinate system (LCS) structured by a unique constellation of differentially cathected accentuations, and mediated by particular tropes. A lawyer, for example, to do law, must situate her/himself within a legal LCS. But this assuming a discursive subject-position effects (circumscribes) not only reality construction (the 'what happened?') but also the constitution of subjectivity.

Briefly, Derrida (1981) extends Lacan's analysis and indicates that the signifier 'floats' — forever denied anchorage, and hence stable meaning. There is no 'center', no stable criteria, no privileged reference point, no present, no transcendental signified by which we may evaluate meaning. What exists are hierarchical oppositions of terms with one term in the privileged position. His position is essentially anti-foundationalist. Western metaphysics is accused of logocentrism. Signifying chains are permeated through and through and held together by the enigmatic, ineffable and quintessential 'trace', only a simulacrum of a presence — likened to a quark — which essentially is always already composed of past sedimented accentuations and anticipatory states that inhere in any ongoing being. These traces are beyond symbolization (the domain of the Real) but are ubiquitous, overdetermining and always everywhere efficacious. Essentially his deconstructionism is a radically subjectless universe. We might respond in criticism, if all is relative, why then do we revolt? Why bother? On the upside, he certainly does provide tools for demythicizing ideological constructions by explicating their often arbitrary but motivated centrations.

What do we do with all this? How does it contribute to critical criminology? My approach is essentially focused on a post-Frankfurt schema. The Freudo-Marxist approach of the Frankfurt school still operated under a conception of, or the possibility of, the unified subject (the Cartesian subject). Post-modernism questions this; it 'decenters' the subject, noting the constitutive effects of language. Critical criminology is in sore need of a bonafide statement concerning how the subject develops and how it operates. Marxism by itself has reached an impass here. Lacan's work, along with other post-modernists asks us to rethink language, cause, free will, agency, responsibility. In particular, Deleuze and Guattari's recent work (1987) which integrates Freud, Marx and Nietzsche promises to re-orient progressive thought. Integrated into our theorizing this emerging orientation promises to give us a better picture of hegemony, alienation and repression.

Take for example, the juridic subject — the 'reasonable man/woman in law'; a subject created by the effects of 'interpellation' and 'suture'; a subject who inserts her/himself, or is inserted in preconstituted discursive subject-positions with the attendant narrowly circumscribed syntactical, lexical and morphological structure — the legal LCS — within which to speak. Weberian analysis has well described its reified inscription into legal and conventional discourse. Nietzschean inspired analysis with an appropriate critical, materialistic synthesis indicates that these ideal-types are overlays of system sustaining inequities disguised in dogma (idols, fetishes), in notions idealizing formal freedoms. They are, for Nietzsche, 'semiotic fictions.' Take another possible application: positivism and the notion of the empirical subject in criminology and its underlying metaphysical assumptions of the determining, unified subject. Post-modernism questions its very basis. Traditional forms of operationalizing variables, for example, deny the influence of the trace and produce stasis rather than a dynamic flux. The essence of a sign according to Bakhtin (1981) is its multi-accentuality; it's an unstable locus of diverse valuations reflecting heterogeneity, multiplicity, and interpenetrating effects. Can we, then, genuinely use positivism to test marxist insights? Humanism is a casualty in the formalistic, positivistic, and reified edifice of capitalism and its logic. What is denied is heterogeneity, the creative play of differences, randomness, the unpredictable, the fluctuating 'center' of meaning and being, dialectical flux, and the inseparatability of the I-thou relationship.

How does post-modernism stand with respect to the other three evolving perspectives in critical criminology? The peacemaking approach will be challenged, for central in its approach, as I read it, is the primacy or potential of a unified, determining, autonomous subject. Left realism will obviously dismiss post-modernism as abstract, jargonistic, unrealistic, and arm-chair theorizing with no relevance for the 'real' world. Socialist feminists, I think, will benefit from this conceptual schema, a powerful tool, that attacks structured gender biases at its roots. Although, for some, the women's liberation movement was partly responsible for doing Freudianism in, particularly in the 1970s, and rightfully so, because of its outright phallocentrism, Lacanianism cannot be so easily dismissed. Lacan is a revisionist. His analysis combines phenomenology with structural analysis. For Lacan, the centrality of the Oedipus complex is replaced by that of the Symbolic and the Imaginary order. The phallus, for Lacan, is not the penis. Castration is read as separation and alienation, which produces gaps ('*beance*'). Gender identification is more due to the inherently

phallocentricity of the symbolic order. In criticism of Lacan, however, he does not tell us about the source of phallocentrism. Nor does he attempt to show how the bourgeois family is the key transmitter of capitalist/gender values and ideals. (His voice stands conspicuously moot as to 'ideological state apparatuses'). Lacan's 'law-of-the-father' is the primary signifier that stabilizes gender identification, meaning construction, and gives stability to a phallocentic order. However, this needs to be deconstructed ('trashed', as the critical legal studies folks would say).

Implicit in Lacan (and more specific in Hegel/Kojeve) is that desire is the desire for recognition by the other, is the desire for love by the other. I desire the other's desire, love. This implies that we are intricately connected in mutually reinforcing desires of recognition and love. Denied by structures of alienation, repression, domination, the subject reacts in pathological, as well as in revolutionary ways. Yes, part of desire can be traced to original losses suffered by the developing infant which can never be satisfied once s/he enters the Symbolic order (the child linguistically masters her/his drives, while thereafter inaugurating forever a disjuncture from the Real). In addition, a source is alienating structures that commodify desire for the other's desire, producing a further alienation and fetishized existence. The omnipresent 'cult of the individual' under capitalism produces insatiable desires. Exchange-value replaces use-value (or signifiers replace signifieds) and these key signifiers 'float' within signifying chains with effect. The 'I' that enters discourse is captured within the logic of the signifying chain that has reached a certain level of relative autonomy. The regressive (conservative, homeostatic) and progressive (humanistic, oppositional) desires certainly work together in producing specific acts of revolt, rebellion and revolution on the one hand, and crime and pathology on the other. It is in this direction that Lacan's work provides valuable insights.

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CHAPTER 15

Critical Semiotics

P. K. Manning
Michigan State University

INTRODUCTION

This paper outlines some aspects of critical semiotics that might contribute to the growth and effusion of critical criminology in North America. A critical criminology is required, in my view, because of the dramatic increase in gaps between classes, races and increased awareness of gender-based inequalities; the blurring and mystification of core American values surrounding choice and civil liberties; the pervasiveness of arbitrary authority; the presence of distorted and distorting communication and the paucity of theories and concepts that fully and adequately capture the sense of outrage that observation of these matters produces. At the center of these developments is the newly understood power of communication to produce readily consumable images, floating signifiers adrift from easily determined referents, and cynical ideological mystification by those in authority.

COMMUNICATION

All forms of communication in modern society are muddled and constituted of confused and contradictory *simulacra*, deeply superficial, rich and intriguing images afloat in a sea of meanings. These images are an aspect of collective representations, and reveal themselves as expressions, or what might be called *hemi-signs* (a sign is the combination of an expression and a content) signifying diverse and problematic content. An analysis of the production, circulation and consumption of signs and hemi-signs as they relate to crime and its control is the task of critical semiotics.

Critical semiotics can be lead by several ideas adopted from Baudrillard to the analysis of crime. These are:

1. Baudrillard argues that critical analysis of modern society must include an analysis of the commodification and circulation of signs, and of the role of the production of signs and of the patterned desire to consume, ingest, incorporate and exchange signs (a kind of short hand for status-conferring objects).
2. The powerful wish to consume and display, the desire for the absent, must be considered in conjunction with other human characteristics such as the need to set limits on meanings (horizons) and to communicate symbolically.
3. The role of arbitrary authority to control the circulation and consumption of images (and other products) should also be explicated.
4. Deception and self-deception dance in a symbolic dialectic with authentic communication.

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5. Human actions are reflexive, and language both defines the limits of sensibility and creates them.

These features of communication, some of which are derived from Baudrillard, are a central feature of modern society and, therefore, pattern modern crime. Especially important are crimes of consumption, avarice and greed, crimes sometimes seen as mere accidents, mistakes in judgment or corruption. Analysts have played with the mere surface representations of these features, often using the tired received dogma of commonsense, aging or dead prophets, or nineteenth century theories of 'man'. Unfortunately, these ludic activities are inadequate to a full analysis of the current situation. It is ironic but, nevertheless, true, that no social science has yet been able to explain, illuminate, account for, or measure accurately the deepest and most important features of human sociality.

Criminology is neither a science nor a moral enterprise, but it combines these with concern for policy, for change and for expanded awareness. A relevant criminology should not be a mere recipient of conventional wisdom and assumptions, but should be empirical and rooted deeply in minute understandings, the groundings of experience, against which a social science (criminology) asserts its claims to particular truths and findings. It should seek, in my judgment, to explain: a.) the nature of real, lived experiences in diverse social worlds shaped by governmental social control; b.) the encoding and decoding of these worlds by means of signs; and, c.) the implicit authoritative contexts within which signifiers are pinned down. Lived experience is partially stabilized and symbolized experience, and increasingly this is media-mediated. The endurance of expressions such as the flag, the law, the police and crime, belies the changing and complex character of the meaning of such expressions. The apparent stability of these collective conceptions is, in large part, a function of their unexamined nature and, especially in the case of the law, of ideologies that freeze and reify its character and encode its relevance to everyday life.

Semiotics, because it illuminates the context of stable meanings, and thus implies a close analysis of the workings of authority that binds us to and blinds us, too, can resuscitate the critical edge of qualitative socio-legal work. Critical semiotics can illuminate the above themes, especially the role of distorted and distorting communication in obfuscating class, race and gender-based inequalities.

CRITICAL SEMIOTICS

Semiotics provides techniques for analysis of how signs produce meaning. Broadly defined as the science of signs, it has historically eschewed referential questions (to what do signifiers refer?) since Saussure defined the sign as a two-sided, isomorphic form that resulted because sound and image are understood as one. 'Critical' refers to the capacity of the semiotician to examine, re-examine, and explore the social values that link expression and content in a valued-defined set (a cluster of signs grouped as a message) and transformations thereof. Explanation is a process of making visible or revealing the rules that order a text and that which is absent in a text. It is essential to a critical semiotics that the sign be seen as constituted by an *expression* and a *content* linked over time by varying *interpretants*, or that by which the sign is made meaningful. Since time and *context* (what is brought to the set of signs at issue) are socially variable, the deferred meaning of a concept is a function of that which is brought to the expression/content connection, of the unfolding and variable set of interpretants (one might think of the interpretant as the roles and tasks or social locations of institutional members and publics), and the transformations of meanings that are produced. A principal focus is analysis of discourse, or large chunks of talk or writing. Institutional discourse serves to define message content in terms of the mandate and mythical functions attributed to or arrogated by the institution. Context and the interpretant serve to pin down floating expressions while the process of deconstruction permits surfacing various 'mental' connections, some of which are invisible, tacit or assumed and therefore may be 'suppressed', made between expression and content. This analysis should contribute to building a theory of communication and meaning (Eco, 1979:53).

Perhaps, as Luhmann (1986) argues, 'advanced' societies are marked by an excessive amount of information, or suffer 'information overload'. This satiation by information is complemented by the desire of subjects to be overwhelmed. The human search for finite horizons, to chunk, code and reduce the surfeit of signs, has important correlates as well. "... subjects desire in one way or another some 'horizons' within which to participate in reality construction...organizations are more than obliging" (Milovanovic, personal communication 10.28.89). The focus of a communicationally-based critical semiotics should be to use deconstruction to map the logic of the process of pinning down the signifier.

This brings us to the concept of *deconstruction*. It is has been shown that the standard Sassurian model of analysis is limited in

important ways. In addition to the points made above, a critical semiotics would work out the empirical implications of deconstruction as a socio-literary technique. Deconstruction rejects a simple notion of binary oppositions since all signifiers or expressions imply, include or potentially contain their opposites. Only differences remain. Deconstruction moves away from a speaker-speaking-spoken ⇨ heard ⇨ understood model, and erases the speaker as a source of meaning. "Indeed, the body and subject are signifiers and are thus caught in the same signifying chain...The commodification process produces exchange values which are indeed desired' (Milovanovic, personal communication). The intentional speaking subject is not the source of meaning, and in fact words and symbols have increasingly vague referents. The meritorious Durkheimian project of surfacing the symbols that capture collective conscience slides away in modern society because collective symbols variously echo social structure rather than represent it. They might be said, following Goffman, to 'give off' meaning, rather than to 'give' it. All texts, or sets of symbols seen as a unit, are variously contradictory, and this meaning is pinned down within rather narrow confines, rather than by broad macrosociological theories such as science, sociology, economics, or historically grounded causal explanations. The excess of meaning produced by the juxtaposition of denotative and connotative meanings, the surplus, can be revealed by a critical enterprise.

INSTITUTIONAL DISCOURSE AND AUTHORITY

A semiotic analysis should begin with certain assumptions about the ordering of webs of meaning by historic, structural, and collective forces. I suggest the following:

1. The notion of the *dialectic* is at the heart of critical sociological analysis. This animates the Saussaurian model as well in the sense that the diachronic and the synchronic aspects of communication produce differences in context that yield meaning.

2. Underlying all institutional structures is (at least) one *paradox*. In policing, for example, the basic aim or task-set is the eradication of crime; yet crime inheres in the human condition. She who says rules says crime. The goal of the eradication of crime, in turn, stands in a dialectic relationship to social order and social control since official efforts at coping with crime may result in legal dependence and unwillingness to act informally to control crime. Excessive enforcement may lead to governmentally induced anarchy. Some forms of crime require law breaking to enforce them, *e.g.* vice crimes generally. These dynamic inter-relationships must be explored to reveal the manifestations of crime and its control.

3. Paradoxes are resolved in at least three ways within social institutions: via *routines* that set out task structures and priorities; via the *mandate* as a publicly sanctioned set of public expectations and license to act in society's behalf; and via *ideologies and myths* that sanctify, reify and elevate tasks and routines, and cloak them in non-empirically veritable beliefs.

4. The *denotations of key terms* cohere and are ordered by institutionally sanctioned paradigms (associative contexts) and a politically derived mandate.

5. These words do not speak for themselves, but are embedded in institutional contexts that serve to obscure the indexical features (context-dependence) of these key terms and clusters. They are encoded. Organizational discourse creates a set of codes (implicit and explicit) which include ways of interpreting and sharing these interpretations for organizing responses to alterations in both the physical and social world.

6. The salience of a given unit or term, or a denotation of a key term within a paradigm (*e.g.* the salience of named crimes within the paradigm, 'crime' for police dispatchers) is taken for granted. Exceptions to routine practice may be sanctioned and reordered by authority within given institutions.

7. Hierarchy and priority are established in operational terms (the role of the institutional etiquette with the publics of the organization or institution) internally by routines and externally by hierarchical patterns of authority.

8. Deconstructing the terms reveals the arbitrary character of these denotations and connotations rendered as versions of reality, and will show how some indices are elevated to unquestioned relevance.

9. Organizational discourse contains these denotative and connotative orderings, and is sanctioned itself by trust and social credibility sustained by social and political myths.

10. The increase in *decentered* discourse means that selves and the institutional interests are obscured and left floating in *a*historical time. The floating nature of the expressions used to convey institutional interests remains unexamined.

COMMENT

Critical semiotics provides tools for the analysis of signwork, communications and authority as they shape 'crime' and the authoritative response to crime. A semiotic analysis should probe the ordering of webs of meaning by historic, structural, and collective forces. Institutional analysis can reveal the ways in which expressions are pinned down and made less than arbitrary, thus harnessing the winds of change to the present.

I am very grateful to Dragan Milovanovic for his encouragement and enlightenment on selected interfaces of semiotics and critical criminology.

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PART IV: PEACEMAKING

CHAPTER 16
INTRODUCTION

Peacemaking Criminology In A World Filled With Conflict

David O. Friedrichs
University of Scranton

As we approach the end of the twentieth century we find ourselves in a world ridden with conflict and violence. The Persian Gulf War — widely celebrated in the United States as a victory — has been estimated to have resulted in tens of thousands of Iraqi deaths. The FBI's Uniform Crime Report in the Spring of 1991 reported a significant rise in violent personal crime. We continue to be plagued by all manner of corporate violence, including destruction of the natural environment, on-going tolerance of dangerous working conditions, and the production of unsafe consumer products. Racism, sexism and other forms of discrimination are far from extinct, despite the rights movements of recent decades. And in the United States we allegedly have the highest rate of imprisonment of any nation. The revived death penalty appears to be quite widely supported.

The emergence of a criminological perspective which has come to be known as peacemaking criminology, in such a world, is almost startling. This perspective has many roots, and these roots cannot be easily separated from the biographies of the two individuals who, to date, are the leading lights of peacemaking criminology: Richard Quinney and Harold E. Pepinsky. It may be premature to speak of peacemaking criminology as a school of thought; rather, it is the shared (but hardly identical) vision of two prolific, highly original and personally charismatic criminologists. Others have been moved to explore how this vision impacts on their own special concern (*e.g.*, Bohm on the death penalty, and Schwartz and DeKeseredy on domestic violence, in Pepinsky and Quinney, 1991). Still others (*e.g.*, Milovanovic, 1991), it seems, have been interested in the enterprise of establishing a peacemaking criminology, and have undoubtedly been provoked to reconsider some of their own premises.

What, then, are the roots of peacemaking criminology? Firstly, it can be traced back to the radical or critical criminology which emerged in the United States primarily in the 1970s. Richard Quinney had first come into prominence in the 1960s, especially for his contributions to the understanding of white-collar crime and criminal behavior typologies. His book ***The Social Reality of Crime*** (1970) was a powerful and influential new version